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Amendment After Final
MHC 11/15/07

Please amend the Claims as follows:

Claim 1. (previously amended) A fitment for a container having a top end and a first wall associated with the top end comprising

means defining an opening through the first wall associated with the top end of the container,

a circumferential flange member,

a second wall upstanding from said flange member,

said second wall defining a conduit having entrance and exit ends through which contents of the container may be discharged,

at least said exit end of said conduit having a substantially ellipsoidal planar cross-sectional geometry having at least one major portion and at least one minor portion,

said minor portion being disposed vertically above said major portion when said fitment is affixed to the first wall of the container and the container is oriented in a direction for discharge of the contents of the container through said opening and substantially simultaneous ingress of ambient air into the container through said minor portion of said fitment, a tear away membrane disposed across and closing said conduit and including pull ring means affixed to said tear away membrane thereby providing for localization of an initial tear away force applied through said pull ring.

Claim 2. (Currently amended) The fitment of Claim 1 wherein said cross-sectional geometry of as at least said exit end of said conduit has an aspect ratio of less than one.

Claim 3. (Original) The fitment of Claim 1 wherein said container and said fitment each includes a longitudinal centerplane and said centerplanes are coincident when said fitment is affixed to the top end of said container.

Claim 4. (Original) The fitment of Claim 1 and including a cap member integrally formed in hinged relationship with said wall defining said conduit.

Claim 5. (Previously amended) The fitment of Claim 4 wherein said cap member includes first and second annular projections extending from a surface thereof, said projections being spaced apart from one another to define therebetween a void annular space, said annular space having a geometry substantially like said ellipsoidal cross-section geometry of said conduit and adapted to receive therein an outboard rim of said wall to thereby releasably close and seal said conduit against the passage of the contents of said container therethrough.

Claims 6-18 have been cancelled.